



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

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File No.: 03-019722-B00
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Attorney for Towd Point Mortgage Trust 2018-1, U.S. Bank
National Association, as Indenture Trustee, Secured Creditor

Order Filed on July 31, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: **20-15674-MBK**

In Re:

Javier Lazo

Debtor(s).

Chapter 13

Judge Michael B. Kaplan

ORDER RESOLVING MOTION TO VACATE STAY

Recommended Local Form Modified

The relief set forth on the following pages, numbered two (2) through four (4) is

ORDERED

DATED: July 31, 2023

A handwritten signature of Michael B. Kaplan in black ink.

Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: Javier Lazo
Case No.: 20-15674-MBK
Caption of Order: Order Resolving Motion to Vacate Stay

Upon the motion of Towd Point Mortgage Trust 2018-1, U.S. Bank National Association, as Indenture Trustee (the "Movant"), under Bankruptcy Code section 362(d) for relief from the stay (the "Motion") as to certain real property commonly known as 789 Linden Road, Toms River, NJ 08753 (the "Collateral"), and Javier Lazo (the "Debtor(s)") having opposed the Motion, and the Court having considered the submissions of the parties, and argument, if any, and for cause shown, it is ORDERED

1. That the Motion for Relief from Stay is denied, as the parties herein agree that the interest of Movant is adequately protected by payment and performance as more particularly set forth hereinafter.
2. That the stay shall continue against the Collateral, subject to the following conditions:
3. The status of Post-Petition Arrearages is as follows, pursuant to the terms of the Note as set forth in the chart below:

Number of Missed Payments	From	To	Monthly Payment Amount	Total Amount Delinquent
1	May 1, 2023	May 1, 2023	\$1,980.59	\$1,980.59
1	June 1, 2023	June 1, 2023	\$2,001.97	\$2,001.97
Less post-petition partial payments (suspense):				(\$268.75)
TOTAL POST PETITION ARREARAGES:				\$3,713.81

4. Debtor(s) shall cure all Post-Petition Arrearages outlined in Paragraph 3, above, as follows:
 - a. Debtor is to pay the total Post-Petition Arrearages totaling a sum of \$3,713.81 on or before July 31, 2023.
5. Beginning in July 2023, Debtor(s) shall resume making regular monthly mortgage payments:

Debtor: Javier Lazo
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- a. Regular payments in the amount of \$2,001.97, and any additional amount as required or allowed by the Note and Security Instrument are to be paid on or before the date said payments become due.
 - b. Payments should be sent to:

Select Portfolio Servicing, Inc.
Attn: Remittance Processing
P.O. Box 65450
Salt Lake City, UT 84165-0450
6. If any payments outlined in this Order, or any regular monthly payments which come due according to Movant's Loan Documents, for the life of the bankruptcy are not made within 28 days of the date the payment is due, then the Movant may obtain an Order Vacating the Stay as to the Collateral by filing with the Bankruptcy Court a Certification of Default specifying the failure to comply with this Order.
 7. That in the event relief from the stay is later granted, the Trustee shall cease funding any balance of Movant's claim and the provisions of Fed.R.Bank.P. 4001(a)(3) may be waived.
 8. In the event this case is converted to Chapter 7, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion to bring the account contractually current.
 - a. If the loan is not brought current after conversion, Movant may file a Certification of Default with the Court.
 9. This Order survives any loan modification between the Movant and the Debtor(s) agreed to and executed during the instant bankruptcy proceeding.
 - a. If any regular mortgage payment due after the execution of a loan modification is more than one month late, Movant may file a Certification of Default with the Court.

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10. Any Certification of Default filed pursuant to the Order shall be served on the Trustee, the

Debtor(s) and Counsel for the Debtor(s).

11. The Movant is awarded attorney's fees of \$500.00, and costs of \$188.00 for a total of

\$688.00, to be paid through the Chapter 13 Plan.

In re:
Javier Lazo
Debtor

Case No. 20-15674-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jul 31, 2023

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 02, 2023:

Recip ID	Recipient Name and Address
db	+ Javier Lazo, 789 Linden Road, Toms River, NJ 08753-7811

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 31, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor BAYVIEW LOAN SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. McDonough	on behalf of Creditor Towd Point Mortgage Trust 2018-1 U.S. Bank National Association, as Indenture Trustee dmcdonough@flwlaw.com
Steven J. Abelson	on behalf of Debtor Javier Lazo sjaesq@atrbklaw.com atrbk1@gmail.com;r49787@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5